

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION.**

**CRIMINAL APPLICATION No. 3516 of 2007.**

Ronald Anthony Pereira ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr A. H. Ponda, Advocate for the applicant.

Mr S. S. Pednekar, A.P.P for the State.

**CORAM: V.C. DAGA,J.**

**DATED: 30th OCTOBER, 2007.**

**P.C.:-**

1. Heard learned counsel for the applicant

and learned APP for the State.

2. Perused the application and material

available on record.

3. The applicant is seeking bail under

Section 439 of the Cr.P.C., arrested in C.R.  
No. 8 of 2007 registered with Mahad Police,  
District Raigad for the offence punishable  
under Section 365, 362, 504, 506 read with  
Section 34 of the I.P.C. upon a complaint  
lodged by one Ashok Babu Vinharkar.

4. The prosecution case is as under:

5. It is alleged that on 6.3.2007 the

complainant visited his native place along  
with his cousin brother Shantaram and other

( 2 )  
relatives. It is alleged that on 7.3.2007 complainant, his brother Mahesh and his family members and Shantaram were travelling back to Bombay. At about 3:00 p.m. they reached Karanjande Railway Station in a Vikram Rickshaw. They alighted at the S.I. stand and were proceeding towards the railway station. It is alleged that on their way to the railway station, a white Tata Sumo came near them and two persons alighted from the said Tata Sumo. It is alleged that the said two persons who were alighted from the Sumo forced the said Shantaram to sit in the Sumo and thereafter they all fled away in the said vehicle. On these allegations initially the offence came to be registered under Sections 365, 362, 504, 506 read with Section 34 of the I.P.C.

6. Subsequently, during investigation it was transpired that offence under Section 302 of the I.P.C. has been committed, the offence came to be registered under Section 302 of the I.P.C.

7. Learned counsel for the applicant submits that one of the co-accused Ramchandra Bajirao Sonwane has already been enlarged on bail by this Court in Criminal Application No. 2785 of 2007 vide order dated 31.8.2007. According to him, the role of the present

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applicant being identical to that of the role of co-accused Ramchandra, on parity the present applicant would be entitled for bail.

8. Having heard both parties, no useful purpose would be served by continuing detention of the applicant in custody till the trial is over. However, while releasing him on bail, same terms and conditions will serve ends of justice.

9. In the result, the applicant, Ronald Anthony Pereira, be released on bail in connection with C. R. No. 8 of 2007 registered with Police Station, Mahad District Raigad, subject on furnishing a personal bond of Rs. 25,000/- with one solvent surety in the like amount on following terms and conditions.

a] The applicant shall report to above Mahad Police Station once in a week i.e. on every Monday between 3.00 to 5.00 p.m.till the conclusion of the trial.

b] The order of bail will be given effect only after the applicant furnishes to the Investigating Officer the details about his place of residence

and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the Investigating Officer.

c] The applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

d] The applicant shall co-operate with the Investigating Agency in investigation.

e] Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

f] Breach of any of the above conditions may result in cancellation of this order.

9. Application is disposed of in above terms.

(V.C. DAGA,J.)